UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA WAYCROSS DIVISION

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JAMES OLIVER BLACK,)	mila
)	
· Plaintiff,)	
)	
v.)	
)	
GHISLAIN PERRON, Gen.)	CASE NO. CV508-033
Practitioner, DR. CHARLES)	
HARDEN, Med. Director, DANNY)	
BENNETT, D/W-C/T, and DON)	
JACK, Warden,)	
)	
Defendants.)	

ORDER

Before the Court is Plaintiff Black's Motion for a Preliminary Injunction. (Doc. 30.) For the following reasons, Plaintiff's Motion is **DENIED**.

Plaintiff, an inmate currently incarcerated at D. Ray James Prison, Folkston, Georgia, filed this Motion asking the Court to enjoin Defendants from denying Plaintiff "medication to calm nerve ending in his feet, legs, and hands, and an adequate set of soft shoes with arch support, for his 'Neuropathy' feet condition." (Id. at 7.) In response, Defendants deny withholding medication or soft-soled shoes from Plaintiff. (Doc. 31 at 1-2.)

A district court may only grant injunctive relief if the movant shows a substantial likelihood of success of the

merits; that irreparable injury will occur unless the injunction issues; that the threatened injury to the movant is not outweighed by any damage to the opposing party caused by the injunction; and that the injunction would not be adverse to the public interest. See Siegel v. Lepore, 234 F.3d 1163, 1176 (11th Cir. 2000).

In this case, Plaintiff is not entitled to injunctive relief because he has failed to show a substantial likelihood of success on the merits. To show an Eight Amendment violation, Plaintiff would have to establish both that he suffered from a serious medical need and that Defendants acted with deliberate indifference to that need.

Estelle v. Gamble, 429 U.S. 97 (1976), Farrow v. West, 320 F.3d 1235 (11th Cir. 2003). While Plaintiff does allege facts that, if true, would entitle him to relief, simple allegations fall short of showing a substantial likelihood of success on Plaintiff's deliberate medical indifference claim. Accordingly, Plaintiff's Motion for a Preliminary Injunction is DENIED.

SO ORDERED this 29th day of November, 2008.

WILLIAM T. MOORE, JR., CHIEF JUDGE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA